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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 MARCELO MUTO, NOAH BREEZE,  
12 and all others similarly situated,

13 Plaintiffs,

14 v.

15 FENIX INTERNATIONAL LIMITED;  
16 FENIX INTERNET LLC,

17 Defendants.

Case No. 5:22-cv-02164-SSS-KKx

**ORDER GRANTING JOINT  
STIPULATION FOR  
CONSOLIDATION (Doc. 32)**

**NOTE CHANGES MADE BY  
COURT**

18 JOHN DOE 1 and JOHN DOE 2,  
19 individually and on behalf of all others  
20 similarly situated,

21 Plaintiffs,

22 v.

23 FENIX INTERNET LLC, a Delaware  
24 limited liability corporation; FENIX  
INTERNATIONAL LIMITED, and  
DOES 1 through 20, inclusive,

25 Defendants.  
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Case No. 2:23-cv-03005-SSS-KKx

1 On May 9, 2023, Plaintiffs and Defendants in the above-captioned actions filed  
2 a Joint Stipulation for Consolidation.

3 The court, having considered the parties' Joint Stipulation for Consolidation  
4 and finding good cause, hereby **GRANTS** the Joint Stipulation for Consolidation and  
5 **ORDERS** as follows:

6 1. The following actions pending in this District shall be consolidated  
7 pursuant to Federal Rules of Civil Procedure 42(a):

8 a. *Muto, et al. v. Fenix International Limited, et al.*, Case No. 5:22-cv-  
9 02164-SSS-KKx ("*Muto*"); and

10 b. *John Doe I, et al. v. Fenix Internet LLC, et al.*, Case No. 2:23-cv-03005-  
11 SSS-KKx ("*Doe*").

12 2. The consolidated case shall continue under the *Muto* caption and file  
13 number: *Muto, et al. v. Fenix International Limited, et al.*, Case No. 5:22-cv-02164-  
14 SSS-KKx. All future filings in the consolidated proceedings shall be made under  
15 that file number.

16 3. The Clerk of Court is **DIRECTED** to **CLOSE** the later-filed case,  
17 *John Doe I, et al. v. Fenix Internet LLC, et al.*, Case No. 2:23-cv-03005-SSS-  
18 KKx.

19 4. The June 9, 2023, hearing on Defendants' Motion to Dismiss [Dkt. 16]  
20 in the *Muto* action and the May 30, 2023, deadline for Defendants to answer or  
21 otherwise respond to the First Amended Class Action Complaint in the *Doe* action  
22 are vacated.

23 5. Within 21 days of the entry of an order consolidating the above-  
24 captioned actions, Plaintiffs will file a consolidated complaint (the "Consolidated  
25 Complaint");

26 6. Within 21 days after the Consolidated Complaint is filed, Defendants  
27 will file an answer or otherwise respond to the Consolidated Complaint;

28 7. Within 21 days after Defendants respond to the Consolidated

1 Complaint, Plaintiffs will file their Opposition; and

2 8. Within 14 days after Plaintiffs file an opposition, Defendants will file  
3 their Reply.

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5 **IT IS SO ORDERED.**

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7 Dated: May 11, 2023

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10 SUNSHINE S. SYKES  
11 United States District Judge  
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